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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/617,448 | 07/11/2003 | Haim Feldman | Q76231 | 3481 |
| 23373 | 7590 | 09/02/2004 | EXAMINER | |
| SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037 | | | MONBLEAU, DAVIENNE N | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2878 | |

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/617,448

Applicant(s)

FELDMAN ET AL.

Examiner

Davienne Monbleau

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/11/03 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/15/03
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Examiner Suggestions

Claim 13, line 2: Examiner suggests inserting -- light -- before “detector section” to keep the language of the elements consistent.

Information Disclosure Statement

The IDS filed on 12/15/03 has been acknowledged and a signed copy of the PTO-1449 is attached herein.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kiik et al. (EP 0 866 502 A2).

Regarding Claim 11, *Kiik* discloses in Figure 1 a linear light detector apparatus comprising a plurality of adjacent light detector sections (102 and 104) disposed linearly along a common axis, each detector section comprising a plurality of adjacent light detectors and at least one multistage storage device (110) operative to receive in parallel an input from said plurality of light detectors and to serially readout (112) information stored in said multiple stages. Since each register (110) comprises a plurality of vertical register elements (see Figure 3) and each vertical register elements receives a pixel signal, each detector section comprises a plurality of light detectors.

Regarding Claim 12, *Kiik* discloses in Figure 2 that each light detector section comprises an input (132) for section transfer signals and an output (134) for serial readout of said section.

Regarding Claim 13, *Kiik* discloses in Figures 1 and 3 that each said light detector section comprises a temporary shift register having plural stages (see Figure 3), said shift register being operative to receive in each stage in parallel the content of a corresponding detector and to be read out serially (112). (Each stage, AA-DA, acts as a temporary shift register).

Regarding Claim 14, *Kiik* discloses in Figure 2 a source of section transfer signals (132) to provide section transfer signals to read out a plurality of said stages in series, and a data out line including a buffer (108) to carry said serial read out signals.

Regarding Claim 15, *Kiik* discloses in Figure 1 a method for detecting a plurality of pixels stored in a linear CCD having a first plurality of sections (102), each section comprising a second plurality of pixel storage elements and receiving an in put from a respective one of a third plurality of concurrently scanning beams (column 1 lines 35-44) comprising capturing and storing the content of each of said third plurality of beam simultaneously in a respective signal storage section (102) and concurrently serially reading out the stored signals (112).

Regarding Claim 16, *Kiik* discloses in column 2 lines 19-45 synchronizing the timing of the scanning of said beams and said readout of said stored signals.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Kiik*. *Kiik* does not teach that said capturing and storing step is conducted concurrently in only a portion of said first plurality of sections. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to use concurrent capturing and storing only in a portion of the first plurality of sections based on what size of detector is required to detect the type and size of the object that is being scanned.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sharman et al. (US 5,045,932) teaches in Figure 2 a detection device comprising a linear array of detector sections (44a – 44d), wherein each detector sections comprises a plurality of detectors, a transfer gate (46) and a plurality of storage/register devices (48a – 48d). Hosier (US 5,493,423) teaches in Figure 1 a detector device comprising a linear array of detectors (14), a two-stage transfer/storage device (20 and 33), and a horizontal shift register (24). Harada (US 6,339,213) teaches in Figure 3 an imaging device comprising an imaging section (24), a multi-stage storage section (26), and a horizontal shift register (27).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davienne Monbleau whose telephone number is 571-272-1945.

The examiner can normally be reached on Mon-Fri 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on 571-272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Davienne Monbleau

DNM



DAVID PORTA
SUPERVISORY PATENT EXAMINER
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